

**Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Petition of Network Communications	)	WC Docket No. 19-232
International Corporation for Forbearance	)	
Pursuant to 47 U.S.C. § 160(c) from 47	)	
U.S.C. § 254(d) and 47 C.F.R. § 54.706(a)	)	

**COMMENTS OF SECURUS TECHNOLOGIES, INC.**

Securus Technologies, Inc. (“Securus”), by its undersigned counsel, submits these reply comments in response to comments filed regarding the Petition for Forbearance (“Petition”) filed in the above-captioned docket by Network Communications International Corporation (“NCIC”) on August 9, 2019.

Commenters generally support the Petition’s request that the Commission forbear from enforcing the obligation of providers of Inmate Calling Services (“ICS”) to contribute to the Universal Service Fund (“USF”) with respect to their interstate and international ICS revenues because forbearance will reduce burdens on low-income users of telecommunications services and will have a *de minimis* impact on the overall USF budget.<sup>1</sup> The Wright Petitioners, for example, note that “the contribution of ICS fees is a very small percentage of the overall Universal Service

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<sup>1</sup> See Comments of Human Rights Defense Center, WC Docket No. 19-232 (filed Sept. 6, 2019) (supporting forbearance); Comments of Inmate Calling Solutions, LLC, WC Docket No. 19-232 (filed Sept. 16, 2019) (supporting the Petition in its entirety in order to make ICS calls more affordable while having a *de minimis* impact on other consumers); Comments of Pay Tel Communications, Inc., WC Docket No. 19-232 (filed Sept. 16, 2019) (stating that forbearance would have a *de minimis* effect on total USF contributions and imposing USF fees on ICS users undermines the fundamental purpose of USF subsidies to require low-income families of ICS callers to support USF through contributions); Comments of Prison Policy Initiative, WC Docket No. 19-232 (filed Aug. 30, 2019) (noting that forbearance “would instantly reduce the cost of calls home from prisons and jails by approximately 25%” without “materially” affecting the USF); Comments of the Wright Petitioners, WC Docket No. 19-232 (filed Sept. 16, 2019) (supporting the Petition because a large majority of persons with an incarcerated family member are eligible for the Lifeline program).

Fund budget, but can dramatically increase the cost of ICS calls for inmates and their families” and “even small reductions in monthly costs represented by elimination of USF charges for ICS would result in not insignificant savings.”<sup>2</sup>

Securus largely agrees that granting forbearance will serve the public interest, convenience, and necessity by promoting just and reasonable rates for ICS, and making those services more affordable for users.<sup>3</sup> However, as Securus noted in its initial comments, the benefits of granting forbearance would not be realized without the Commission making appropriate revisions to the Form 499 instructions.<sup>4</sup> Specifically, without Securus’ proposed revision to the Form 499 instructions and the ability to continue to provide exemption certificates to their wholesale suppliers, ICS providers that provide resold services would be obligated to pay USF fees passed onto them from their underlying carriers. ICS providers would most likely continue to pass these fees onto their customers, directly or indirectly. It is critical to the public interest benefits that would flow from granting the Petition that ICS providers that are resellers be able to continue to provide exemption certificates to their underlying carriers for services resold to provide ICS.

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<sup>2</sup> Comments of the Wright Petitioners, WC Docket No. 19-232 (filed Sept. 16, 2019).

<sup>3</sup> See Comments of Securus Technologies, Inc., WC Docket No. 19-232 (filed Sept. 16, 2019).

<sup>4</sup> See *Universal Service Contribution Methodology*, Order, WC Docket No. 06-122, 27 FCC Rcd. 13780 (2012) (clarifying obligations of and certification requirements for resellers); FCC Form 499-A Instructions (2019) at 36-39 (instructions for attributing revenues from “contributing resellers”).

Accordingly, Securus conditionally supports prompt grant of the Petition subject to the Commission's adoption of a modified resale certification obligation for providers of ICS services.

Respectfully submitted,

/s/Andrew D. Lipman

Andrew D. Lipman

Russell M. Blau

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Ave., N.W.

Washington, DC 20004-2541

(202) 739-3000

*Attorneys for Securus Technologies, Inc.*

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